

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

<b>GLEN FALLIN</b>	:	<b>CIVIL ACTION NO. 1:15-CV-248</b>
	:	
<b>Plaintiff</b>	:	<b>(Judge Kane)</b>
	:	<b>(Magistrate Judge Carlson)</b>
<b>v.</b>	:	
	:	
<b>DAVID MUELLER, ASSISTANT</b>	:	
<b>DISTRICT ATTORNEY</b>	:	
	:	
<b>Defendant</b>	:	

**ORDER**

Before the court in the captioned action is a February 5, 2015 Report and Recommendation of the Magistrate Judge. No timely objections have been filed.

Accordingly, upon review of the record and the applicable law, **IT IS HEREBY ORDERED THAT:**

1) The Court adopts the Report and Recommendation of Magistrate Judge Carlson.

2) The Plaintiff's Motion for Leave to Proceed *in forma pauperis* (Doc. No. 2) is **GRANTED.**

3) The Plaintiff's complaint is dismissed without prejudice to the plaintiff attempting to amend the federal complaint to state a claim upon which relief may be granted in federal court, by including proper allegations against appropriate party-defendants that meet the requirements of federal law, provided that the plaintiff acts within 20 days of this dismissal order.

4) If Plaintiff does not file an amended complaint within 20 days of the date of this order, the Clerk of Court is directed to close the case.

5) If Plaintiff files an amended complaint within 20 days of the date of this order, all further proceedings in this matter are referred to Magistrate Judge Carlson.

s/ Yvette Kane  
YVETTE KANE, District Judge  
United States District Court

Dated: March 5, 2015